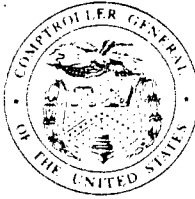


17085

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-201922

DATE: February 20, 1981

MATTER OF: Management, Design and Consulting
Services

DIGEST:

[Protest of rejection of bid due to unreasonableness in price] and of extension of delivery date under revised follow-on solicitation is untimely when not filed until after award is made to competing firm. GAO protest procedures require protest to be filed within 10 days of knowing of grounds for protest and, where solicitation deficiency resulting from solicitation amendment is alleged, prior to next closing date for receipt of proposals.

Management Design and Consulting Services (M.D.C.S) protests the award of a contract by the Department of the Navy under solicitation No. N00167-81-R-0002.

M.D.C.S. states that the solicitation was issued after a prior invitation for bids (No. N00167-80-B-0191) was canceled and its bid was rejected due to unreasonableness in price. M.D.C.S. further states that after the follow-on solicitation was issued and proposals submitted, the delivery date was extended and revised offers were requested. M.D.C.S. complains that the amended delivery date reflects preferential treatment in favor of a competitor who could not meet the original delivery schedule. Award, on the basis of lowest price, was made to that competitor after receipt of best and final offers.

The protest is untimely. To the extent M.D.C.S. is complaining about the rejection of its bid on the original solicitation, the protest is untimely because it was not filed within 10 days of when it learned of the rejection

~~015589~~ 114402

as required by our Bid Protest Procedures, 4 C.F.R. § 20.2(b)(2). See Consolidated Photocopy Company, Inc. B-196136, January 29, 1980, 80-1 CPD 80. To the extent M.D.C.S. objects to the delivery date extension, the protest is untimely because it was not filed prior to the next closing date for receipt of revised proposals. See 4 C.F.R. § 20.2(b) (1), which provides that solicitation deficiencies which result from an amendment to the solicitation must be protested prior to the next closing date for receipt of proposals. This protest was not filed until after M.D.C.S. learned of the award to another company.

The protest is dismissed.

Harry D. Van Cleave
For Milton J. Socolar
General Counsel